

REMARKS

In the Office Action mailed April 13, 2009 the Office noted that claims 1-9 were pending and rejected claims 1-9. Claims 1-9 have been amended, no claims have been canceled, and, thus, in view of the foregoing claims 1-9 remain pending for reconsideration which is requested. No new matter has been added. The Office's rejections and objections are traversed below.

OBJECTION TO THE SPECIFICATION

The disclosure stands objected to for informalities. In particular the Office asserts that the Specification lacks sections headings. A replacement Specification is filed herewith to overcome the objection. It is submitted that no new matter has been added by the replacement Specification.

Withdrawal of the objection is respectfully requested.

CLAIM OBJECTION

Claims 6 and 7 stand objected to for informalities. In particular, the Office asserts that the claims contain legalistic language. The Applicants have amended the claims in conformity with the suggestions of the Office.

Withdrawal of the objections is respectfully requested.

REJECTIONS under 35 U.S.C. § 101

Claims 1-8 stand rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. In particular the Office asserts that the claims fail the machine and transformation test as put forth in *In re Bilski*.

The Applicant has amended the claim to overcome the rejection of the Office. In particular the Applicant has amended the independent claim to recite that the algorithm is executed by the electronic entity. Support for the amendment may be found, for example, in Fig. 1 and ¶ 0013 of the printed publication version of the Specification. The Applicant submits that no new matter is believed to have been added by the amendment of the claim.

Withdrawal of the objections is respectfully requested.

REJECTIONS under 35 U.S.C. § 112

Claims 1-9 stand rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. In particular the Office asserts that a single means recitation is subject to undue breath.

The Applicant has amended the claims to overcome the rejection. In particular, the means language has been removed from the claim. Support for the amendment may be found, for example, in Fig. 1 and ¶ 0013 of the printed publication version

of the Specification. The Applicant submits that no new matter is believed to have been added by the amendment of the claim.

Withdrawal of the rejection is respectfully requested.

REJECTIONS under 35 U.S.C. § 102

Claims 1-5 and 7-9 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Callum, U.S. Patent No. 6,985,581. The Applicant respectfully disagrees and traverses the rejection with an argument.

Callum starts from the idea that, "in an attempt to ascertain the logic within the circuits" (col. 1, lines 32-33), third parties may try to cause a circuit to work outside normal (predetermined) operating conditions (col. 1, lines 33-46). Callum suggests in this context to use a circuit able to "detect when the [...] unit is operating outside of its predetermined operating range (col. 3, lines 28-30).

In this goal, Callum teaches the use of an operation unit capable of selecting a test signal (instead of an input signal) and "to perform a test round of the circuit operation when the test signal is selected" (col. 2. lines 2-5).

The result of the test round is then compared to a reference value "identifying a correct value for the result of the test round when the operation unit is operating under the predetermined range of operating conditions" (Callum col. 2, lines 7-10).

It is thus clear that, according to the teaching of Callum, the reference value ("reference output value" in line 28 of col. 4) should be computed beforehand, when one makes sure that the unit is working in the "predetermined operating range".

It may be also noted that the comparison to a reference value is made when a test signal is selected, not when the input signal to be processed is selected.

The teachings of Callum are thus in contrast to the claimed invention which comprises, when applying a cryptographic algorithm to an input message, performing some steps and storing the result of these steps, so as to repeat some of the steps and compare the result of the repeated steps to the stored result.

Thus, Callum fails to disclose ***"performing steps of said iterative process so as to obtain a result of an iterative step,*** storing in said electronic entity said result of said intermediate step , repeating at least some of the steps of said iterative process until a result is recalculated corresponding to the result that has been stored," as in claim 1.

In Callum, there is no such repetition of some steps. As noted above, the reference value of Callum is representative of predetermined "normal" operating conditions and should thus absolutely NOT be computed at the time of processing a message, where precisely the operating conditions are unknown and should thus be detected according to Callum.

Withdrawal of the rejections is respectfully requested.

REJECTIONS under 35 U.S.C. § 103

Claim 6 stands rejected under 35 U.S.C. § 103(a) as being obvious over Callum. The Applicant respectfully disagrees and traverses the rejection with an argument.

For at least the reasons discussed above with respect to the anticipation rejection, Callum fails to render obvious the features of claim 6.

Withdrawal of the rejection is respectfully requested.

SUMMARY

It is submitted that the claims satisfy the requirements of 35 U.S.C. §§ 101, 112, 102 and 103. It is also submitted that claims 1-9 continue to be allowable. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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APPENDIX:

The Appendix includes the following item(s):

- ☒ - a Substitute Specification and a marked-up copy of the originally-filed specification